

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- v. - :

ANDREW BARTOK, :

Defendant. :

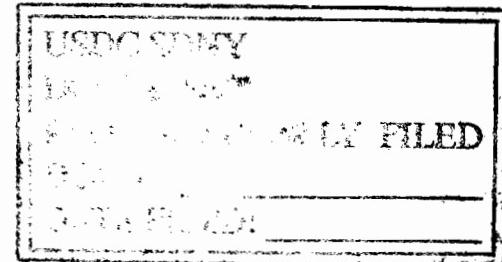
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COUNT ONE

The Grand Jury charges:

1. From in or about May 2005 through in or about August 2009, in the Southern District of New York and elsewhere, ANDREW BARTOK, the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other, to commit an offense against the United States, to wit, mail fraud, in violation of Title 18, United States Code, Section 1341.

2. It was part and an object of the conspiracy that ANDREW BARTOK, the defendant, and others known and unknown, unlawfully, wilfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting so to do, would and did place in a post office and authorized depository for mail matter, matters and things to be sent and delivered by the Postal



Service, and deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carriers, and take and receive therefrom, such matters and things, and cause to be delivered by mail and such carriers according to the direction thereon, and at the place at which they were directed to be delivered by the person to whom they were addressed, such matters and things, in violation of Title 18, United States Code, Section 1341.

OVERT ACTS

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about September 18, 2007, ANDREW BARTOK, the defendant, and a co-conspirator not named herein ("CC-1"), caused a bankruptcy petition to be filed in the United States Bankruptcy Court for the Southern District of New York in White Plains, New York.

b. On or about June 6, 2009, ANDREW BARTOK and CC-1 caused a bankruptcy petition to be filed in the United States Bankruptcy Court for the Southern District of New York in Poughkeepsie, New York.

(Title 18, United States Code, Section 1349.)



FOREPERSON



PREET BHARARA
United States Attorney